

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

V.

ROBERTO MORO-MORA,
ELIZABETH REYES DELACERDA, and
JORGE AYALA-CHAVEZ,

Defendants.

Case No. 3:18-CR-00057-MMD-WGC

ORDER RE:

Stipulation to Continue Response Deadline

IT IS HEREBY STIPULATED AND AGREED by and through NICHOLAS A. TRUTANICH, United States Attorney for the District of Nevada, and JAMES E. KELLER, Assistant United States Attorney, counsel for the United States of America, and KATHLEEN BLISS, counsel for defendant Mora-Mora, JESS MARCHESE, counsel for defendant Elizabeth Reyes-Delacerda, and SOUN FLETCHER, counsel for defendant Jorge Ayala-Chavez, that the government shall have including July 26, 2019, to file a response to defendants' Joint Motion to Sever [311].

1 IT IS FURTHER STIPULATED AND AGREED by and between the parties, that they shall
2 have to and including August 2, 2019, to file any reply. This Stipulation is entered into for the following
3 reasons.

4 1. The parties, including counsel for the government who has been engaged in trial from June 17
5 through July 3, need this additional time for effective preparation by counsel to fully and properly
6 respond, taking into account the exercise of due diligence pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv).

7 2. This continuance is further excluded under 18 U.S.C. § 3161 (h)(7)(B)(ii) as the case is so
8 unusual or so complex, due to the number of defendants, that it is unreasonable to expect adequate
9 preparation for pretrial proceedings or for the trial itself within the time limits established by this section.

10 3. This continuance is in the interests of justice, which outweigh the interests of Defendant and
11 the public in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), and the failure to grant this
12 continuance would result in a miscarriage of justice by denying counsel for the parties reasonable time
13 necessary for effective preparation under 18 U.S.C. § 3161(h)(7)(A).

14 4. The additional time requested herein is not sought for purposes of delay, but merely to allow
15 counsel sufficient time to complete necessary research, prepare, and submit appropriate responses.

16 5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
17 The additional time requested by this stipulation is excludable in computing the time within which the
18 trial herein must commence pursuant to the Speedy Trial Act, § 3161 (h)(7)(A), considering the factors
19 under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161 (h)(B)(iv).

1 6. Defendants, through counsel, have no objection to this request.

2 DATED this 22nd day of July, 2019.

3

4 /s/ James E. Keller
5 JAMES E. KELLER
6 Assistant United States Attorney
7 Counsel for United States of America

8

9 /s/ Kathleen Bliss
10 KATHLEEN BLISS
11 Counsel for Defendant Roberto Mora-Mora

12

13 /s/ Jess Marchese
14 JESS MARCHESE
15 Counsel for Elizabeth Reyes-Delacerda

16

17 /s/ Maysoun Fletcher
18 MAYSOUN FLETCHER
19 Counsel for Defendant Jorge Ayala-Chavez

ORDER

Based upon the reasons set forth in the foregoing stipulation of the parties, incorporated herein by reference, and good cause appearing,

IT IS ORDERED that the government shall have to and including July 26, 2019, to file a response to defendants' Joint Motion to Sever [311], and that they shall have to and including August 2, 2019, to file any reply.

IT IS SO ORDERED.

DATED: July 24, 2019.

HON. MIRANDA M. BRY

HON. MIRANDA M. DU
United States District Judge